

Chin, Vivian

From: Eric Meyer [emeyer@Langan.com]
Sent: Wednesday, February 19, 2014 3:06 PM
To: Chin, Vivian
Cc: Anthony Ruane; Ledyard Smith; Daniel Yu
Subject: RE: 50 Dey Street PCB administrative update 1-30-2014
Attachments: 50 Dey St JC NJ Towers 4 & 5 Typical Floor Dimensions.pdf

Vivian,

Attached is a PDF that represents the typical floor plan for 50 Dey St, Towers 4 & 5, Floors 1-7. Please review and feel free to contact me should you need additional information.

EJM

Eric Meyer
Senior Project Manager
Direct: 201.398.4587
Mobile: 973.216.2413

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From: Eric Meyer
Sent: Wednesday, February 19, 2014 11:17 AM
To: Chin, Vivian
Subject: Re: 50 Dey Street PCB administrative update 1-30-2014

Will have something later today out of our his dept

Eric Meyer
Senior Project Manager

LANGAN

Mobile: 973 216 2413

On Feb 19, 2014, at 11:15 AM, "Chin, Vivian" <Chin.Vivian@epa.gov> wrote:

Hi Eric,

I haven't heard back from you, could you please tell me the total square footage of both towers (all the floors)?

Thanks,
Vivian L. Chin
U.S. Environmental Protection Agency - Region 2
Pesticides & Toxic Substances Branch

2890 Woodbridge Avenue, MS-105
Edison, NJ 08837
phone: 732-906-6179; fax: 732-321-6788
chin.vivian@epa.gov

From: Chin, Vivian
Sent: Monday, February 10, 2014 2:50 PM
To: 'Eric Meyer'
Subject: RE: 50 Dey Street PCB administrative update 1-30-2014

Eric,

Thanks for the reply, I just wanted to be sure you understood the distinction since the 1/30/14 submission referenced disposal at a RCRA facility.

Also, could you tell me the total square footage of both towers (all the floors)? I haven't been able to find it in any of the documents and the drawings are not to scale.

Thanks,
Vivian L. Chin
U.S. Environmental Protection Agency - Region 2
Pesticides & Toxic Substances Branch
2890 Woodbridge Avenue, MS-105
Edison, NJ 08837
phone: 732-906-6179; fax: 732-321-6788
chin.vivian@epa.gov

From: Eric Meyer [<mailto:emeyer@Langan.com>]
Sent: Monday, February 10, 2014 2:38 PM
To: Chin, Vivian
Cc: Bob Koto
Subject: 50 Dey Street PCB administrative update 1-30-2014

Vivian,

Thanks for the call of earlier today regarding your email of February 4, 2014 (see below), I appreciate the continued efforts to confirm application of the applicable regulations as they apply to material management. Please know as we move forward with the project on Floors 2 -7, we want to complete PCB material management consistent with the strategy presented in the January 30, 2014 correspondence. Effectively all concrete materials resulting from the project advancement will be disposed at a TSCA permitted facility (Chemical Waste Management, Alabama [or similar]), while the non-hazardous PCB impacted wood block will continue to be disposed at the pre-approved Tunnel Hill Reclamation Landfill in New Lexington, Ohio.

Thanks again for your attention, and know all disposal documentation will be maintained to record the off site disposal operations.

Respectfully,

Eric Meyer
Senior Project Manager
Direct: 201.398.4587

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From: Chin, Vivian [<mailto:Chin.Vivian@epa.gov>]
Sent: Tuesday, February 04, 2014 10:40 AM
To: Eric Meyer
Cc: Bob Koto; rhaim@moishes.com; fran@fmparkerlaw.com
Subject: RE: 50 Dey Street PCB administrative update 1-30-2014

Eric,

I've attached below the entirety of 40 CFR 761.61(b). As we discussed, and as you can see in the regulation, in order to utilize this section the waste must be disposed of as specified (in a TSCA approved facility). Your January 30, 2014 letter provided by email discusses using the performance-based disposal option, however, you indicated the waste will be sent to a RCRA approved landfill. A RCRA landfill is not a disposal option for performance-based PCB remediation waste disposal. In order to use the 40 CFR 761.61(b) option your plan should be revised to indicate disposal at chemical waste landfill approved under 40 CFR 761.75. The example facility you specified (Chemical Waste Management in Alabama) is an appropriate TSCA permitted facility, but it is only presented in your letter as an example. Please revise your plan accordingly.

(b) Performance-based disposal. (1) Any person disposing of liquid PCB remediation waste shall do so according to § 761.60(a) or (e), or decontaminate it in accordance with § 761.79.

(2) Any person disposing of non-liquid PCB remediation waste shall do so by one of the following methods:

(i) Dispose of it in a high temperature incinerator approved under § 761.70(b), an alternate disposal method approved under § 761.60(e), a chemical waste landfill approved under § 761.75, or in a facility with a coordinated approval issued under § 761.77.

(ii) Decontaminate it in accordance with § 761.79.

(3) Any person may manage or dispose of material containing <50 ppm PCBs that has been dredged or excavated from waters of the United States:

(i) In accordance with a permit that has been issued under section 404 of the Clean Water Act, or the equivalent of

such a permit as provided for in regulations of the U.S. Army Corps of Engineers at 33 CFR part 320.

(ii) In accordance with a permit issued by the U.S. Army Corps of Engineers under section 103 of the Marine Protection, Research, and Sanctuaries Act, or the equivalent of such a permit as provided for in regulations of the U.S. Army Corps of Engineers at 33 CFR part 320.

Thanks,
Vivian L. Chin
U.S. Environmental Protection Agency - Region 2
Pesticides & Toxic Substances Branch
2890 Woodbridge Avenue, MS-105
Edison, NJ 08837
phone: 732-906-6179; fax: 732-321-6788
chin.vivian@epa.gov

From: Eric Meyer [<mailto:emeyer@Langan.com>]
Sent: Thursday, January 30, 2014 5:20 PM
To: Chin, Vivian
Cc: Bob Koto; rhaim@moishes.com; fran@fmparkerlaw.com
Subject: 50 Dey Street PCB administrative update 1-30-2014

Vivian,

Attached please find a correspondence which identifies the administrative PCB management strategy proposed for moving the project forward. Please review, and then contact our offices with any questions and/or comments.

Thank you in advance for your consideration.

EJM

Eric Meyer
Senior Project Manager
Direct: 201.398.4587
Mobile: 973.216.2413

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From: Eric Meyer
Sent: Tuesday, January 28, 2014 5:18 PM
To: 'Chin, Vivian'

Cc: Bob Koto (bkoto@Langan.com)

Subject: RE: 50 Dey Street PCB material storage and continued disposal operations update 1-28-2014

Vivian,

The non-hazardous PCB impacted wood block disposal operations were implemented 1/16-1/28. During this period the weather played havoc with the transportation end of the operation, and was cause for multiple days of cancelled operations. However they are done as of today. Confirmatory disposal documentation will be forwarded upon receipt.

In response to your question of floor size.....

The floor plans for each of the Buildings (4 & 5) are slightly different, however the floor sizes are roughly the same. Field measurements identify the floors in Building 4 as being approximately 18,500 square feet each, while the floors in Building 5 are approximately 20,000 square feet each.

EJM

Eric Meyer
Senior Project Manager
Direct: 201.398.4587
Mobile: 973.216.2413

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From: Eric Meyer
Sent: Wednesday, January 15, 2014 12:54 PM
To: 'Chin, Vivian'
Cc: Bob Koto (bkoto@Langan.com)
Subject: RE: 50 Dey Street PCB material storage and continued disposal operations 1-15-2014

Yes. Just give me a day or two, as I am a little crazy here with another emergency!!

EJM

P.S. they will start on site with the wood block load out tomorrow!!

Eric Meyer
Senior Project Manager
Direct: 201.398.4587
Mobile: 973.216.2413

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From: Chin, Vivian [<mailto:Chin.Vivian@epa.gov>]
Sent: Wednesday, January 15, 2014 12:52 PM
To: Eric Meyer
Subject: RE: 50 Dey Street PCB material storage and continued disposal operations 1-15-2014

Your welcome. Could you give me the total square feet of material involved?

Thanks,
Vivian L. Chin
U.S. Environmental Protection Agency - Region 2
Pesticides & Toxic Substances Branch
2890 Woodbridge Avenue, MS-105
Edison, NJ 08837
phone: 732-906-6179; fax: 732-321-6788
chin.vivian@epa.gov

From: Eric Meyer [<mailto:emeyer@Langan.com>]
Sent: Wednesday, January 15, 2014 12:47 PM
To: Chin, Vivian
Cc: Haklar, James; Bob Koto; jbolowski@controldemo.net; rhaim@moishes.com; fran@fmparkerlaw.com; Kristina Hoshovsky (kristina@fmparkerlaw.com)
Subject: RE: 50 Dey Street PCB material storage and continued disposal operations 1-15-2014

Vivian,

Thanks for the expedited service!!

EJM

Eric Meyer
Senior Project Manager
Direct: 201.398.4587
Mobile: 973.216.2413

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From: Chin, Vivian [<mailto:Chin.Vivian@epa.gov>]
Sent: Wednesday, January 15, 2014 12:38 PM
To: Eric Meyer
Cc: Haklar, James; Bob Koto; jbolowski@controldemo.net
Subject: RE: 50 Dey Street PCB material storage and continued disposal operations 1-14-2014 III

Eric,

The Approval modification letter is attached.

Thanks

Vivian L. Chin
U.S. Environmental Protection Agency - Region 2
Pesticides & Toxic Substances Branch
2890 Woodbridge Avenue, MS-105
Edison, NJ 08837
phone: 732-906-6179; fax: 732-321-6788
chin.vivian@epa.gov

From: Eric Meyer [<mailto:emeyer@Langan.com>]
Sent: Tuesday, January 14, 2014 3:10 PM
To: Chin, Vivian
Cc: Haklar, James; Bob Koto; jbolowski@controldemo.net
Subject: RE: 50 Dey Street PCB material storage and continued disposal operations 1-14-2014 III

Thanks for the effort!!!!

EJM

Eric Meyer
Senior Project Manager
Direct: 201.398.4587
Mobile: 973.216.2413

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From: Chin, Vivian [<mailto:Chin.Vivian@epa.gov>]
Sent: Tuesday, January 14, 2014 3:09 PM
To: Eric Meyer
Cc: Haklar, James; Bob Koto; jbolowski@controldemo.net
Subject: RE: 50 Dey Street PCB material storage and continued disposal operations 1-14-2014 II

I should hopefully be able to let you know by COB tomorrow whether I can get it to you by 1/16.

Thanks,
Vivian L. Chin
U.S. Environmental Protection Agency - Region 2
Pesticides & Toxic Substances Branch
2890 Woodbridge Avenue, MS-105
Edison, NJ 08837
phone: 732-906-6179; fax: 732-321-6788
chin.vivian@epa.gov

From: Eric Meyer [<mailto:emeyer@Langan.com>]
Sent: Tuesday, January 14, 2014 2:56 PM
To: Chin, Vivian

Cc: Haklar, James; Bob Koto; jbolowski@controldemo.net
Subject: RE: 50 Dey Street PCB material storage and continued disposal operations 1-14-2014 II

Thanks.

I will not transport/dispose until I receive the signed modification from your office. That way we are all on the same page.

EJM

Eric Meyer
Senior Project Manager
Direct: 201.398.4587
Mobile: 973.216.2413

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From: Chin, Vivian [<mailto:Chin.Vivian@epa.gov>]
Sent: Tuesday, January 14, 2014 2:51 PM
To: Eric Meyer
Cc: Haklar, James; Bob Koto; jbolowski@controldemo.net
Subject: RE: 50 Dey Street PCB material storage and continued disposal operations 1-14-2014

Eric,

I'll try to get the modification letter signed by my management tomorrow but I can't guarantee it. The regulations provide for 14 days advance notice of a modification for our written response but I'll do what I can.

Thanks,
Vivian L. Chin
U.S. Environmental Protection Agency - Region 2
Pesticides & Toxic Substances Branch
2890 Woodbridge Avenue, MS-105
Edison, NJ 08837
phone: 732-906-6179; fax: 732-321-6788
chin.vivian@epa.gov

From: Eric Meyer [<mailto:emeyer@Langan.com>]
Sent: Tuesday, January 14, 2014 2:34 PM
To: Chin, Vivian
Cc: Haklar, James; Bob Koto; jbolowski@controldemo.net
Subject: 50 Dey Street PCB material storage and continued disposal operations 1-14-2014

Vivian,

In response to our continuing communications regarding the non-hazardous PCB impacted wood block material storage, I have reviewed the project files as sourced from Keystone E-Sciences Group, Inc. (KES). Based on this review, all non-hazardous PCB impacted wood block materials that had been staged on site, up to and including July 8, 2013, were transported to the Gloucester County Landfill. It is further understood that continued staging of non-hazardous PCB impacted wood block material was reinitiated during the week of July 15, 2013, and lasted approximately another 7-10 days.

Given the results of the aforementioned research, it is concluded that the materials that were removed and staged on site the week of July 15, 2013 and July 22, 2013 are rapidly coming close to their storage expiration period of 180 days. To this end, the disposal subcontractor selected by the Client is ready to initiate off-site disposal of the staged materials to the Tunnel Hill facility this Thursday, January 16, 2014. It is anticipated that the disposal operations will last 3-4 days depending upon the number of trucks available for the transportation operations.

I know previous communications indicated you did not expect a problem getting the final Approval Modification for the Tunnel Hill disposal facility. Can I secure same on/before this Wednesday so we can start transportation on Thursday?

Thank you in advance

Eric Meyer
Senior Project Manager
Direct: 201.398.4587
Mobile: 973.216.2413

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From: Eric Meyer
Sent: Thursday, January 09, 2014 11:46 AM
To: 'Chin, Vivian'
Cc: Haklar, James; Bob Koto
Subject: RE: 50 Dey Street PCB discussion update & disposal facility approval status 1-9-2014

Thanks for the quick response. I will work on the storage question, and respond mid/late next week (as I am out of town for the next 4-5 days due to family emergency). We will also consider the project strategy and give you an update.

Regards,

EJM

Eric Meyer
Senior Project Manager
Direct: 201.398.4587
Mobile: 973.216.2413

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From: Chin, Vivian [<mailto:Chin.Vivian@epa.gov>]
Sent: Thursday, January 09, 2014 11:44 AM
To: Eric Meyer
Cc: Haklar, James; Bob Koto
Subject: RE: 50 Dey Street PCB discussion update & disposal facility approval status 1-9-2014

Eric,

As we touched on during our conversation, I see no issue with the change in disposal facility to an alternate solid waste permitted landfill. We plan to issue an Approval modification reflecting this change. I would like to receive more information/documentation on the material that has been in storage for disposal. Please provide verification on the quantity and length of time that material has been in storage on site. What is the earliest date the material in storage, which is now to be sent to Tunnel Hill Partners, was put in storage for disposal?

I did have the opportunity to speak to Jim and he concurs that 761.61(b) is an option and could be considered for portions of the building. If you plan to send the scarified material for TSCA disposal then there would be no need to further characterize those portions beforehand. Note that 761.61(b) does not address verification sampling, however, all PCB contaminated material over 1 ppm must be removed for TSCA disposal. Other portions of the building which have not been adequately characterized would still need to be addressed. If you choose to go in that direction then future submissions should specify where you have opted to utilize 761.61(b) provisions and provide for delineation of areas still to be addressed per 761.61(a).

Thanks,
Vivian L. Chin
U.S. Environmental Protection Agency - Region 2
Pesticides & Toxic Substances Branch
2890 Woodbridge Avenue, MS-105
Edison, NJ 08837
phone: 732-906-6179; fax: 732-321-6788
chin.vivian@epa.gov

From: Eric Meyer [<mailto:emeyer@Langan.com>]
Sent: Thursday, January 09, 2014 10:48 AM
To: Chin, Vivian
Cc: Haklar, James; Bob Koto
Subject: 50 Dey Street PCB discussion update & disposal facility approval status 1-9-2014

Vivian,

Thank you for affording me several minutes of your time earlier this morning. As discussed the purpose of the call was to stay in touch, and briefly discuss the response letter your office provided regarding the SIP II, and the "new" non-hazardous PCB wood block disposal location.

After review of the response letter you provided, we have reflected on several of the comments and requirements identified therein. As we briefly discussed, delineation of the PCB impacted concrete is required by regulation, prior to any potential remedial action for same. This effort may realize itself to be expensive, and time consuming, given the potential scope of the project.

As a potential alternate you mentioned the possibility of a performance based disposal via 761.61 (b) wherein PCB remediation may be completed, all remediation must achieve <1 kg/mg (PPM), and all materials disposed in a TSCA landfill. In utilizing this potential strategy no additional delineation sampling would be required, however verification sampling would be required to prove remediation was successful to the 1 PPM limit.

This alternative strategy will be reviewed to assess the cost effectiveness of same, recognizing the TSCA disposal requirements for all materials! Once we review, I will reach out to you regarding the refined strategy and any potential non-site specific general regulatory questions; and determine if/what reporting would be required.

In regards to "new" " non-hazardous PCB wood block disposal location (Tunnel Hill), you indicated that it looks like it will be approved, and a confirmation of this approval will be forthcoming shortly. We also discussed the retention time of the materials on site verses the regulatory limits of 6 months. I will review the available records to determine when the materials were generated, what has been disposed of site at the previously approved facility (GCIA landfill), and the retention time of the remaining materials. I expect that the previous disposal efforts managed the oldest staged materials within the initial 6 moth window, and with the forthcoming approval (and a rapid response by the client) we should be able to manage the remaining material on site within the 6 moth window that reflects their date of generation. I will get back to you with confirm on this mid/late next week.

Again thanks for your time, and we look forward to the approval of the "new" Tunnel Hill facility shortly.

Respectfully,

Eric Meyer
Senior Project Manager
Direct: 201.398.4587
Mobile: 973.216.2413
Fax: 201.398.4787

LANGAN

Phone: 201.794.6900 Fax: 201.794.0366
River Drive Center 1
619 River Drive
Elmwood Park, NJ 07407-1338
www.langan.com

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